

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MARTY BROWN,
Plaintiff,

v.

CALDWELL, ET AL,
Defendant(s).

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Civil Action No. 7:13-cv-00045

MEMORANDUM OPINION

By: Norman K. Moon
United States District Judge

Marty Brown, proceeding pro se, filed a civil rights complaint pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). By Order entered February 1, 2013, the court directed plaintiff to submit within 10 days from the date of the Order his financial information and verified statement. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions because he has not sent the financial information and verified statement. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may re-file the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 5th day of March, 2013.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE